

REMARKS

By this Amendment, claims 1, 3, 8–13, 17, 21–24, 28, 30, 31, and 33 are amended, claims 7, 20, and 25–27 are canceled without prejudice to or disclaimer of the subject matter contained therein, and claims 34 and 35 are added. Accordingly, claims 1–6, 8–19, 21–24, and 28–35 are pending. Reconsideration of the present application is respectfully requested.

Claims 9 and 33 are amended in accordance with U.S. practice to correct typographical inaccuracies. It is respectfully submitted that the amendments to claims 9 and 33 do not narrow the scope of the claims.

Support for new claims 34 and 35 can be found, for example, in paragraphs [027] through [028]. The features added to claim 8 are discussed, for example, in paragraph [034]. And support for the features added to claims 11 and 13 can be found, for example, in paragraph [022].

I. The Claims Define Allowable Subject Matter

The Office Action rejects claims 1–29 and 33 under 35 U.S.C. §102(b) over U.S. Patent No. 5,456,379 to Krupa et al. (“Krupa”), claims 24 and 32 under 35 U.S.C. §102(b) over U.S. Patent No. 5,409,126 to DeMars, and claims 30 and 31 under 35 U.S.C. §103(a) over Krupa in view of U.S. Patent No. 6,910,599 to Tucker et al. (“Tucker”). These rejections are respectfully traversed.

With respect to claims 1, 9, and 33, Krupa does not disclose a molded container including one or more standoffs that provide a snap coupling, as recited in claim 1, and a molded container including one or more standoffs comprising a first and second member which provide a snap-coupling, as recited in claims 9 and 33.

Instead, Krupa discloses a cone 26 that positions itself inside the conical locator 110 thereby aligning the cover 100 and tray 20. Col. 5, lines 34–36. The conical recess 112 tapers towards the top support surface 108 with its largest diameter at its opening. Col. 5, lines 29–31.

The smallest diameter of the tapered recess 112 is slightly larger than the diameter of the cone's 26 top support surface 30. Col. 5, lines 31-33. Thus, the cone 26 merely fits into the conical recess to align the cover 100 with the tray 20. Applicants have found no indication in the applied art of the snap coupling, as recited in independent claims 1, 9, and 33.

With regard to claims 17 and 24, the applied references do not disclose a molded container including, "a second transverse compression sealing surface positioned adjacent the second perpendicular surface," as recited in the claims. The applied references instead disclose completely different arrangements. Accordingly, none of the applied references teach or suggest each feature of claims 17 and 24.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. §§102 and 103 should be withdrawn because the applied references, either individually or in combination, do not teach or suggest each feature of independent claims 1, 9, 17, 24, and 33.

As pointed on in MPEP §2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Similarly, MPEP §2143.03 instructs that "[t]o establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)."

For at least these reasons, it is respectfully submitted that independent claims 1, 9, 17, 24, and 33 are patentable over the applied references. The remainder of the claims that depend from independent claims 1, 9, 17, 24, and 33 are likewise patentable over the applied references for at least the reasons discussed above, as well as for the additional features they recite.

II. Conclusion

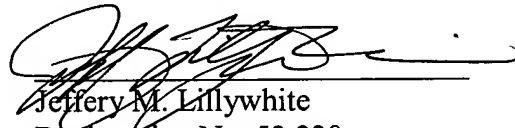
In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned representative at the telephone number below.

Any fees incident to this Amendment may be charged to Deposit Account No. 08-2665.

DATED this 3rd day of March, 2006.

Respectfully submitted,



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